

## Crimean elections after March 31, 2002

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Not only in the corridors of the Verkhovna Rada political passions are running high. Not only in Kyiv leaders of political coalitions are making efforts to attract as many members as they can and to determine the strength of their opponents in the forthcoming parliamentary «maneuvers». Not only in the capital the words «parliamentary majority» are in the focus of attention. All the above is also true about Simferopol, although local distinctions must be taken into consideration...

In general, elections in the Crimea had very much in common with those in other Ukrainian regions. Administrative resource and dirty political technologies were widely used. The group of Russian political technologists working in the Crimea during the election campaign was, perhaps, larger as compared to any other region of the country and pro-Russian slogans were extremely popular on the peninsula.

Results of the Crimean election demonstrate that political preferences of the population have slightly changed and the Reds received less votes. In the multi-mandate Crimean constituency, Communist party won 33.91% of votes or 5.43% less than in the 1998. The Social Democratic Party of Ukraine (United) ranked second and received 12.47% or almost two times more than in Ukraine on the whole. In the 1998 elections, the SDPU(U) even failed to reach the 4% mark and its latest success indicates growing political influence of this party on the peninsula and its ability to find right allies in the regions. Candidates supported by the SDPU(U) local organization were elected city mayors in Sudak, Krasnoperekopsk and Saky. Yuschenko's Our Ukraine was supported by 9.77% of voters, mostly due to its popularity with the Crimean Tatars. In the previous parliamentary elections, the People's Rukh of Ukraine seen by many Crimeans as a predecessor of Yuschenko's bloc got some 6% of votes. Hence, notwithstanding numerous slurs used against the right centrists, their ratings are growing. The bloc For United Ukraine received 5.92% of votes, which obviously indicates that in the Crimea the so-called administrative tools were in the hands of other political forces, first and foremost, the communists. The Crimea was the only region where the Russian bloc that was supported by 4.76% of voters overcame the 4% mark.

Party «Union» ranking second in the 1998 elections suffered a crushing defeat and made way for the Russian bloc. Green party of Ukraine supported by almost 6% of voters in 1998, also failed to pass the 4% mark.

By April 24, 2002, the Crimean Electoral Commission registered 90 candidates to the Verkhovna Rada of the Crimea. 20 deputies will represent Hrach's block in the

parliament and there are 6-9 more potential members of this parliamentary coalition. It should be mentioned that in the 1998, the Communist Party won just 36 mandates but affiliation of 10-15 independent candidates allowed the communists to form the majority and nominate their leader Leonid Hrach, who ruled the peninsula for the last four years. The parliamentary coalition of Hrach's opponent, former Prime Minister of the Crimea Serhiy Kunitsyn will incorporate 39 deputies, including 20 candidates nominated and 19 candidates supported by his team. The Russian bloc will be represented by 5 MPs. Six Crimean Tatars were elected to the parliament with support of the Kurultai and Our Ukraine. The seventh representative of the Tatar Community was elected from the Kunitsyn team. The parliamentary coalition of Senchenko's Public Committee «Transparent Power» will include 7-8 deputies and that of the SDPU's – 2 MPs.

Most observers describe elections on the peninsula as dirty and indicate that actually in all constituencies there were numerous violations, including lack of voting booths and others.

As a result, the Crimean elections entailed large number of complaints and legal claims. Crimean courts considered nearly 300 electoral cases (the Day, April 6, 2002). In the early April, around 200 complaints were submitted to the Crimean Electoral Commission that experienced serious difficulties because of lacking quorum and boycott on the part of communists-members of the Commission.

Meanwhile, it is paradoxical that a month after the voting, the parliamentary elections on the peninsula has not been completed. Therefore, most appropriate balance of powers in the parliament on the one hand and in the whole Crimea on the other is still to be established.

In the context of political situation on the peninsula in the years to come, final results of the parliamentary elections in the Crimea will strongly depend on developments in Ukrainian parliament. So, we share the viewpoint on balance of powers in the Crimean parliament voiced by Anatoliy Korniychuk, presidential representative in the Verkhovna Rada of Ukraine (the Day, April 23, 2002). Composition of the Crimean representative body and centers of political influence are likely to depend upon positions of Ihor Franchuk and Valeriy Horbatov who can prefer to work in the Verkhovna Rada of Ukraine or that of the Crimea. Their preferences will be crucial for Crimea's political life. Given such uncertainty, it is hardly possible to make any predictions.

In constituency No. 25, the election campaign also continues after the voting day. Five candidates, including Leonid Hrach, leader of Crimean communists and one of the most well-known and influential politicians of the region, competed in that constituency. The speaker of the Verkhovna Rada of the Autonomous Republic of Crimea managed to enlist support of 3,790 voters, whereas his major opponent Tatyana Krasnykova, president of the Chornomorska TV and Radio Company, received 947 votes. The number of voters in the constituency totaled 13,605 but only 38% of them executed their voting right as compared to 57% in the Crimea on the whole. It is still unclear, whether elections will be recognized valid in this constituency.

It would be expedient to mention that having considered a claim lodged by an authorized representative of Tatyana Krasnykova, on February 25, the City Court of Simferopol pronounced a judgment that registration of the speaker of the Crimean parliament shall be recognized invalid. The speaker appealed the decision in the Appellate Court of the Autonomous Republic that ruled against the appellant. Ivan Hrach was certainly not satisfied with such a verdict and filed an appeal against the decisions of the City Court of Simferopol and the Appellate Court of the Crimea to the Supreme Court of Ukraine. On presentation of relevant materials by the Appellate Court of the Crimea, the Supreme Court of Ukraine initiated hearing procedure.

Nevertheless, Leonid Hrach, whose name was not struck off the election bulletins, left his opponents behind. However, in the view of numerous court decisions, his victory was Pyrrhic. In the long run, the Supreme Court of Ukraine passed a verdict in favor of the ex-speaker of the Crimean parliament and thus reversed previous court judgment suspending his registration. Commenting on the court judgment, Leonid Hrach stated, he believes it to be sufficient for the Electoral Commission to recognize him a deputy. «Judgment of the Supreme Court of Ukraine proves that my participation in the elections was legal», he said (the Interfax-Ukraine, April 18, 2002). On April 19, the Crimean Electoral Commission registered Leonid Hrach as deputy of the Verkhovna Rada of the Autonomous Republic of Crimea.

In the opinion of Hrach's opponents, such judgment of the court will not considerably change the balance of power in the new Crimean parliament. According to Serhiy Kunitsyn, «Present composition of the Crimean parliament gives the communists no reason to be sure that Leonid Hrach will be elected speaker of the Verkhovna Rada of the Crimea». Meanwhile, the leader of Crimean communists has an opposite opinion and asserts that his chances to become speaker of the new Crimean parliament are close to 100%. In his words, parliamentary group of the Hrach's bloc (it is going to be named «Prosperity and Unity») will have around 40 members and it will be possible to receive the rest of votes needed to elect him speaker due to negotiations» (the Interfax-Ukraine, February 19, 2002). Though, there is strong doubt that the group of Hrach's supporters in the parliament will be that numerous. At present, the Crimean communist leader can count just on 26 deputies and it is hard to imagine formation of parliamentary majority under his leadership. However, Crimean political life is rather specific and anything is possible.

As far as parliamentary majority is concerned, there are much more realistic options. For instance, on April 16, a group of 67 newly elected Crimean MPs addressed the President of Ukraine with a somewhat strange request to give his opinion about the speaker and Premier to be elected. The request is unusual because under the Constitution of the Autonomous Republic of Crimea and the law of Ukraine on the Verkhovna Rada of the Crimea, the President shall approve only the nominee for Prime Minister, whereas the speaker shall be elected by MPs. Although, the above request was motivated by a desire to put an end to the old Crimean tradition of antagonism between the speaker and the Prime Minister. According to the address, «the latest elections of deputies at a variety of

levels in the region prove that the Crimea needs a political force able to offer and implement a realistic program of further democratic transformations on the peninsula» (the Interfax-Ukraine, April 16, 2002). In the opinion of Serhiy Kunitsyn, the parliamentary majority in the Crimean Verkhovna Rada will be formed on the basis of parties-members of the bloc For United Ukraine. 28 deputies from the bloc For United Ukraine, 5 members of Hrach's bloc, 6 representatives of the Tatar community and independent MPs signed the address.

Meanwhile, in an effort to strengthen his influence in the parliament, Leonid Hrach asserted, «There is no majority... following my advice, a group of deputies presented the President with a letter stating their desire for fruitful cooperation» (the Interfax-Ukraine, April 19, 2002).

Nevertheless, for the time being, the majority in the Crimean parliament is far from being stable. Most likely, potential problems will change its composition and numerical strength. Present developments in the Crimean parliament are similar to the 1998 situation. Mustafa Jemilev, leader of the Mejlis, said, «I am afraid that members of Kunitsyn's team, who have different interests, may get into fight for offices and then small parliamentary coalitions, realizing their importance, may put forward excessive demands» ([www.party.org](http://www.party.org)). According to Mustafa Jemilev, the Crimean parliamentary majority can implicitly count on just 52 deputies, which is a marginal figure and engenders instability.

So, balance of powers in the Crimea will mostly depend upon positions of key actors and elections of the speaker can be viewed as a major factor influencing political structuring of the Crimean parliament. The situation has much in common with that in Kyiv. Should Leonid Hrach fail to win in courts, which is quite possible, fight for the position of the speaker will be waged by former vice-speaker Borys Deych, former speaker Mykola Bagrov and Serhiy Kunitsyn, who is expected to become Premier if Mr. Horbatov opts to work in Kyiv. After all, the President of Ukraine is the one who will make a final decision on the Crimean Prime Minister. However, his position remains unclear.

The problems relating to election of Leonid Hrach to the Crimean parliament are still unsettled. In compliance with the April 25 decision of the City Court of Simferopol, the Crimean Electoral Commission must recognize elections in constituency 25 invalid and thus deprive Leonid Hrach of a deputy mandate. The Court also obliged the Electoral Commission to abolish his registration as a candidate and revoke his candidate's certificate of nomination. At present, Leonid Hrach is not inclined to give up and is going to attend the first session of the Crimean parliament regardless of the political situation. However, should he miss the opportunity to be elected speaker, his return to the Verkhovna Rada as a deputy will be almost senseless. Untimely attempts to resume political struggle after election of another speaker are likely to bring very little dividends.

Under the national legislation, the first session of the newly elected Crimean parliament is to begin on April 29. In compliance with Article 8 of the law of Ukraine «On the Verkhovna Rada of the Autonomous Republic of Crimea», the first session of the

Crimean parliament shall be convoked not later than 30 days after election of not less than 2/3 out of the total of 100 MPs. Prior to election of the speaker, the first session shall be chaired by a head of the Crimean Electoral Commission. Procedural documents of the Crimean parliament incorporate the identical provision.

Given the lawsuits currently considered in courts, it is difficult to say, whether the first session of the Crimean parliament will really begin on April 29. At the same time, many aspects of the political situation on the peninsula will be determined by the fact, whether Leonid Hrach will maintain his mandate of the Crimean deputy or will be forced to continue his political career in Kyiv. This problem must be settled by May 5. Some people believe that the leadership of the Communist party of Ukraine is not at all enthusiastic about Leonid Hrach's movement to Kyiv, as he does have a potential to replace Petro Simonenko as a party leader. However, costly and large-scale PR campaign launched by Russia in support of the Crimean speaker in March, clearly demonstrated the preferences of political establishment of that country. Under such circumstances, position of the speaker of the Crimean parliament assumes paramount importance. Though, should Leonid Hrach be ousted from the Crimean political scene, a large number of local politicians will be glad to assume his role of the leading advocate of the interests of some Russian business groups in the region.

Regardless of the fact, whether leading Crimean politicians decide in favor of the local parliament or opt to move to Kyiv, there is an «integral» group of problems relating to formation and existence of parliamentary majority on the peninsula. Politicians making efforts to form parliamentary majority and coalitions in Kyiv confront very similar problems: no political force can concentrate «a controlling stockholding» in its hands. Proceeding from the above, it is possible to predict that relations between the Verkhovna Rada and the government of the peninsula will continue to aggravate from time to time and that Crimean authorities will remain in moderate opposition to Kyiv on a number of issues. Balance of powers in the Autonomous Republic demonstrates that stable and consolidated majority can hardly be formed in the Crimean parliament. Most likely, the majority will be situational and major political actors will be constantly attempting to gain the upper hand.